

Virginia Soil and Water Conservation Board
Hearings Pertaining to the Proposed Realignment of the
James River Soil and Water Conservation District

Tuesday, October 8, 2002, 7:00 p.m.
Chesterfield County Administration Building, Room 502

Hearing Officer: Granville M. Maitland, Virginia Soil and Water Conservation Board

Mr. Maitland opened the hearing at 7:00 p.m.

Mr. Maitland:

My name is Granville Maitland. I am a member of the Virginia Soil and Water Conservation Board and I also serve as the chair of the Appomattox River Soil and Water Conservation District. With me this evening are staff from the Department of Conservation and Recreation that are assisting with the conduct of this hearing:

Susan Block, Conservation District Coordinator based in DCR's Henrico office

Mark Meador, District Programs Manager based in Richmond

Michael Fletcher, Director of Development based in Richmond

We are here tonight to provide an opportunity for anyone with an interest in the proposed realignment of the James River Soil and Water Conservation District to express their comments. Anyone wishing to speak should sign the clipboard by the main entrance if you have not already done so.

Currently the James River district is comprised of Chesterfield and Prince George counties. A petition from the Chesterfield County Board of Supervisors has been submitted to the Virginia Soil and Water Conservation Board (which hereafter I will refer to as the Board). The petition proposes establishment of a new district, solely within the boundaries of Chesterfield County. Virginia law empowers the Board to review and decide about formation of districts and resolve changes with district boundaries. The proposed name of this new district is the Chesterfield Soil and Water Conservation District. If this change occurs as proposed, Prince George county will continue to function as the James River Soil and Water Conservation District. Copies of the petition are available; please raise your hand if you have not received a copy and would like one to review.

The meeting tonight is one of two hearings established by Board. Next Tuesday night (October 15th) we will hold the second hearing in Prince George at the Samuel L. Bland Memorial Building beginning at 7:00 p.m. Following these two hearings, the Board must determine from the facts presented and from other available information, whether there is reasonable need and adequate justification for dividing the existing James River district and establishing a new Chesterfield district. According to Virginia law, this hearing provides public comment opportunity "...upon the question of the desirability and necessity, in the interest of the public health, safety, and the welfare, of the action proposed by the petition upon (i) the question of the

appropriate boundaries to be assigned to such district, (ii) the propriety of the petition and other proceedings taken under this chapter, and (iii) all questions relevant to such inquiries.” If the Board finds that there is such a need, then it must next determine if the operation of each of the two districts is administratively practicable and feasible.

In accordance with provisions of the *Code of Virginia*, the Board has published notices of the two hearings in newspapers of general circulation for the areas affected.

Concerning the petition submitted by the Chesterfield County Board of Supervisors, the Board has determined that the petition fulfills requirements established by state law, and the Board approved the petition during their July 18th, 2002 meeting.

At this time, for the benefit of anyone present that may not be familiar with the authorities and functions of the Commonwealth’s Soil and Water Conservation Districts, I will ask Mark Meador to come forward and provide a brief overview. When that is complete, he will read the petition submitted by the Chesterfield County Board of Supervisors.”

Mark Meador:

Thank you, Mr. Maitland.

Soil and Water Conservation Districts are political subdivisions of the state and are established through actions of local communities according to provisions of state law. Among the authorities provided through the *Code of Virginia*, districts are empowered to:

- Conduct surveys relating to soil erosion and the conservation, utilization and disposal of water; and to disseminate information.
- Conduct demonstration projects to provide soil and water conservation examples to local communities.
- Carry out preventative and control measures for the conservation, control and use of water within the district.
- Enter into agreements and provide financial aid with agencies, or any occupier of land within the district.
- Accept, acquire and dispose of property –real or personal, or rights or interests therein.
- Make agricultural and engineering equipment available to assist land occupiers with soil conservation and the management of water.
- Develop comprehensive programs and plans for the conservation and management of soil and water resources.
- Serve as an agent for the Commonwealth and/or United States, by administering projects and activities and accepting gifts and contributions.

Today there are 47 Soil and Water Conservation Districts serving 98% of the land surface of the Commonwealth. Each district is administered by a board of directors comprised of citizens of the district's local community. There are over 300 district directors –the majority elected locally, serving on district boards without financial compensation and volunteering their services to their communities. Districts also employ staff to carry out the work of the district.

At this time I will read the contents of the petition from the Chesterfield County Board of Supervisors.

“ The Chesterfield County Board of Supervisors has determined that there is need, in the interest of public health, safety and welfare, for a new district to function in the territory described below, the grounds upon which that determination is based being as follows:

- (A) The rapidly expanding area of available conservation programs, which require the expertise and assistance of the technicians employed by local Soil and Water Conservation Districts and the desire to better serve its constituents by increasing manpower and funding through the creation of an additional district.
- (B) The increasing need for advice and assistance to the citizens and businesses within Chesterfield County to address natural resource conservation concerns of this rapidly urbanizing county.
- (C) The ability to minimize the logistical difficulties of providing technical assistance encountered by serving an immense geographic area with terrain and accessibility challenges and the desire to spend less travel time between governmental entities in order to focus a greater percentage of time on local concerns.
- (D) A need for a separate Board, knowledgeable in local issues, to serve Chesterfield County only, thus realignment would allow a greater amount of accessibility to the directors by their constituents by having meetings locally where local people could voice local concerns.

Accordingly, the Chesterfield County Board of Supervisors hereby petition the Virginia Soil and Water Conservation Board as follows:

- (1) That the proposed name of the new district shall be the Chesterfield Soil and Water Conservation District.
- (2) That the territory proposed to be organized as a district shall include the entire area within the boundaries of Chesterfield County.

- (3) That the Soil and Water Conservation Board is hereby required to define the boundaries of the proposed district, to conduct a hearing within the territory so defined on the question of the creation of a district in such territory, and to determine that such a district be created.”

Mr. Maitland

Thank you, Mr. Meador. You have heard the reading of the petition. Anyone desiring to speak regarding the actions proposed within the petition will now have an opportunity to do so. When I call your name, please come to the podium, state your name, your affiliation if applicable, and any comments pertaining to the matter at hand. All statements will be recorded on audio cassette tape and transcribed in a written format. If you have brought with you a copy of the statements you are expressing, we would like a copy for the records. All statements presented will become a part of the record and will be considered by the full membership of the Soil and Water Conservation Board in making a determination with regards to the realignment of the James River Soil and Water Conservation District.

Before we begin, if there is anyone present that has not signed up to speak, please raise your hand so that we may add you to the list.

At this time, the floor is open for comments. We will start according to the order of those that have signed up to speak.

STATEMENTS FROM THE PUBLIC

John Kinch
Chesterfield Farm Bureau

I come tonight representing Chesterfield Virginia Farm Bureau. I live in Matoaca magisterial district on a farm. We would like to support the creation of a separate district for Chesterfield County. We feel the topography of our county and the surrounding James and Appomattox Rivers give us unique resources and that we should as a county be able to manage those resources. We feel strongly that farm input to the board as originally intended should be reflected in the Board of Chesterfield.

Bill Hastings
James River Soil and Water Conservation District
Chesterfield

To begin with I want to read a letter which we are submitting to the board that we adopted at our last meeting (a copy of the letter is attached):

Dear Chairman Moyer:

The purpose of this letter is to reiterate and clarify the position of the James River Soil and Water Conservation District Board on the petition filed by Chesterfield County to form the Chesterfield Soil and Water Conservation District.

In a correspondence date July 11, 2002 the District stated the following:

“In recognition of county population and land use differences, the James River Soil and Water Conservation District supports Chesterfield County’s request of the Virginia Soil and Water Conservation District, so long as proportionate funding is allocated to all Districts across the Commonwealth of Virginia.

The following statement should clarify any misunderstandings that resulted from said correspondence:

“In recognition of county population and land use differences, the James River Soil and Water Conservation District supports Chesterfield County’s request of the Virginia Soil and Water Conservation Board to withdraw from the James River Soil and Water Conservation District, as long as the potential reduction in allocating core funding is shared equally among all soil and water conservation districts.”

If we can be of assistance during this process please contact us.

Sincerely,

Linda McAllister
District Administrator

I wanted to address this as the elected official of Chesterfield. I’m speaking in support of the formation of the new district as documented in the formal letter submitted to you. After much debate the other members of the board and I have come to this consensus that this is the best thing for us to do at this time.

As representatives of Chesterfield county we believe it is important to support the directives of the elected County Supervisors who voted unanimously to pursue this request. They believe this to be in the best interest of their constituents.

Diana Parker
Local Falls of the James River, VA Chapter of the Sierra Club

I don’t know much about soil and water conservation as relates to this commission. I’m concerned when instead of looking at a more regional approach, it is problematic to hear

someone say the James is on one side and the Appomattox and that we own these rivers. Our waters are so precious right now. In the future there will be all kinds of legal problems concerning our water and the issues that will occur because of gas lines and power lines. I am concerned with our small farmers. I don't know how many farms are left now. How isolating Chesterfield from Prince George will help us I don't know and how slicing up the dollars will affect us. I do know that Chesterfield has taken numerous steps to try to conserve natural resources.

Richard Nunnally
Coopertative Extension Volunteer

Thank you Mr. Chairman, I am a former Soil and Water Conservation District Director, now a citizen and taxpayer. I want to address three points.

1) Need. Having worked in this locality I can tell you that it's about 45 minutes from the Prince George office to this site and about 30 minutes or so to parts of Chesterfield County. Sharing one technical employee with two counties is not terribly efficient. We think having a technical employee that works within Chesterfield County would be much more efficient.

Chesterfield County is totally in the Chesapeake Bay Watershed. Prince George County is partially in the Chesapeake Bay watershed and partly in the Chowan River basin.

2) When you look at impact of other jurisdictions I think that I heard you read something I hadn't seen before that Prince George would already remain as Prince George. Seems to me that the Board should consider combining Prince George with someone that had the demographics in the same watershed, similar populations, geography, etc.

The James River District used to be Henrico, Chesterfield and Prince George. In 1975, Henrico pulled out because they were urbanizing and needs were different. Chesterfield is now saying the same thing. That would also leave you with 47 districts and would not affect local funding.

3) Chesterfield Board of Supervisors also approved this resolution and approved a paper to provide a possible \$20,000 of support the first year. In addition they would provide office space. We feel like Chesterfield will be giving significantly more financial support for a district set up to serve Chesterfield County.

Brad Hammer
Deputy County Administrator of Chesterfield County

Mr. Hammer presented formal remarks (copy attached).

Chesterfield County wants to improve services. We are very concerned about our soil and water conservation needs and the need to educate our public, particularly our school-age children. Chesterfield has the fourth largest school system in the Commonwealth. We have a huge number of schools that need to hear the message the State Soil and Water Conservation Board

wants to get across. We need to work on effective conservation practices. Our cooperative extension program is well funded and presently is 100 percent funded by the County of Chesterfield. Chesterfield wants to have a separate district to do a better job of public education to do a better job in terms of follow-up with land disturbance, with issues dealing with soil erosion, and with issues dealing with a healthy farming community.

There is no intention in Chesterfield to try to take money from other districts. I strongly believe we should abide by the decision of what Prince George County wants to do. If the state appropriation is divided by 48, each district would lose approximately \$3,000 in annual appropriations, not a large amount of money for the great amount of benefit that would allow Chesterfield County to better respond to soil and water conservation needs.

The county is willing to look at any kind of allocation process that the board would consider in the future. We believe in Chesterfield that there may be a better way of allocating the total budget for efforts in terms of fairness. Maybe there should be a formula that would account for school-age population and total population, land area, number of farms, the farm economy, etc.

We believe that almost any method is better than the present method. It's not that we are opposed to the present allocation strategy. But that is a way of making it fair across the state and positioning Soil and Water Conservation Districts in the future to be more in line with what their business practices are.

We realize that may have pluses and minuses for us, but we would support a stronger budget allocation strategy on the Boards' part.

Chesterfield County is 446 square miles. If we were to be a separate district there are some interesting statistics that should be brought to mind if we were one of 48 districts. Right now there are fifteen single locality districts. Chesterfield would rank 11th in land area, 4th in population and second in school enrollment.

Chesterfield's population, school-age population and land area alone more than justify the creation of a new district.

We come to the Board at this hearing with the request of our Board of Supervisors to form a new district. What we ask for is fair consideration which I think through this hearing process you are doing. We thank you for your time and effort.

Mr. George Beadles
Chesterfield

Mr. Beadles submitted a written statement (Copy attached)

I cannot tell the Board what to do, but I would suggest you have more reasons than just not enough money. I would hope you would consider public hearings to consider placing Chesterfield with Henricopolis and Prince George with Appomattox.

These public hearings would buy the Board more time. If these districts were combined we would then have only 46 districts. The real problem seems to be money. The fact that Patrick Soil and Water District gets the same \$78,000 as Northern Virginia does not make sense.

Make a good case for the vote that you take. Thank you.

Rick Chess
Chesterfield, Member James River SWCD.

I am speaking for myself tonight, not on behalf of the district. The District is in favor of the split. Chesterfield is in favor of the split.

I think we have a situation where the right choice is to split, but I think we may be doing the right thing for the wrong reasons. We should look in a broader context as to where we want to go with James River and Chesterfield in relationship to soil and water conservation issues. Here we are talking about a divorce of a group that has been together for more than 60 years.

The two counties seem to be reasonably happy. This is an unusual situation. There are good relations between the counties and good relations among the board. Yet there are some good reasons for the split. These are two counties with very different needs. If we make this split the two districts will do a better service for the community.

We seem to have on a statewide basis gotten ourselves in a box in splitting out districts. From a financial standpoint the two counties are better off with a split. That is a disincentive to work together. When you look at how we get the information from the state on how we should approach environmental issues it is all by river basins. The politics of the state organization is on a river basis.

It's really hard to give up your importance locally for something larger. If the choice was today between splitting Chesterfield and Prince George or consolidating ten counties together, we would be better off by river basin.

Based on where the Virginia Soil and Water Conservation Board has gone in the last few years, it would be very unfair if a county said they wanted to be a separate entity for the Board to justify declining that request.

But in a larger purpose, splitting into all single district units would be a mistake.

I would urge you to do two things:

Based on the precedent, you have set, you have no choice but to approve the split.

But I would ask you as part of your process that this be part of something larger that the state does in how we best deal with the farmers and environmental issues.

Thank you.

Mr. Maitland:

We want to make sure everyone has had a chance to speak. Are there any additional comments or questions at this time?

If not, I will also remind you that another public hearing will be held on Tuesday, October 15, 2002 at 7:00 p.m. in the Samuel L. Bland Administration Building in Prince George.

Please accept my thanks and appreciation on behalf of the Virginia Soil and Water Conservation Board, to those of you here tonight that have contributed your views towards the matter before the Board. The record will remain open until October 22, 2002 to receive any written statements. Written statements should be mailed to the attention of David L. Moyer, Chair of the Virginia Soil and Water Conservation Board; 203 Governor St., Suite 206; Richmond, Virginia 23219.

With no further business or discussion, I declare this hearing closed.